



TROPIO & MORLAN
A LAW CORPORATION

VIA FIRST CLASS MAIL

DANIEL S. HURWITZ

January 31, 2017

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460

South Coast Air Quality Management District
Public Records Coord./Public Records Unit
21865 Copley Dr.
Diamond Bar, CA 91765

Regional Freedom of Information Officer
U.S. EPA, Region 9
75 Hawthorne Street (OPA-2)
San Francisco, CA 94105

Re: FREEDOM OF INFORMATION ACT REQUEST

To Whom It May Concern:

Under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and California Public Records Act § 6250 et seq, we are requesting access to information possessed by your agency, its predecessor agencies, departments, or divisions regarding the pipeline and other operations associated with the former Golden Eagle Refinery with a common mailing address of 21000 South Figueroa Street, Carson, California and also identified with an address of 12000 South Figueroa Street, Carson, California ("Golden Eagle Refinery" or "Refinery") including pipelines on Golden Avenue between West Wardlow Avenue (also known as Wardlow Road) and Baker Street (formerly known as 223rd Street) in Long Beach, California 90806 ("Golden Avenue Pipelines").

On January 31, 2017, Danielle Blevins, a FOIA Specialist - CRI Contractor with the Department of Energy (Danielle.Blevins@hq.doe.gov) informed our office that the Department of Energy ("DOE") believes that Region IX may have records we desire to obtain.

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This is reflected in a February 1976 State Implementation Plan Air Pollution Inspection by the National Enforcement Investigations Center in Denver, Colorado and Region IX in San Francisco. (See <https://nepis.epa.gov/Exe/ZyPDF.cgi/94000AJ5.PDF?Dockey=94000AJ5.PDF>, showing naphtha and other petroleum hydrocarbons at the site.) The South Coast Air Quality Management District ("SCAQMD") would be expected to have any and all records related to the State Implementation Plan ("SIP") inspection of the Golden Eagle Refinery.

Based on records from the California Department of Toxic Substances Control, we believe the Golden Eagle Refinery and Golden Avenue Pipelines may have been operated or controlled by Golden Eagle, or its predecessors or affiliates, including Julian Petroleum Company, the Douglas Refinery, Sunset Oil, and Berada Corporation, and its successors, Ultramar PLC and its parents and affiliates including LASMO and LASMO Oil & Gas Company ("LOGI") and ENI Oil and Gas, Inc. (See https://www.envirostor.dtsc.ca.gov/public/deliverable_documents/8125837028/cert.pdf and https://www.envirostor.dtsc.ca.gov/public/deliverable_documents/5908933341/2008-0212%20Final%20WP%20for%20Addl%20Site%20Characterization.pdf.) ***When we refer to the Golden Eagle Refinery and the Golden Avenue Pipelines, our request for records includes Golden Eagle and its successors including Ultramar PLC, LOGI and ENI Petroleum Company; Julian Petroleum Company and its successors; Sunset Oil and its successors; the Douglas Refinery and its operators, owners, and successors; and any other entity associated with the Golden Eagle Refinery or the Golden Avenue Pipelines.***

Background

We understand that the Golden Eagle Refinery was utilized as a crude oil storage tank farm and refinery from at least 1947. Golden Eagle acquired the Site in 1958 and operated the existing oil refinery until 1984. Operation by Golden Eagle and its predecessor Sunset Oil at the Site included the processing and attendant storage of crude oil and crude oil products (petroleum hydrocarbon constituents) including unfinished naphtha to produce jet fuel, diesel, bunker fuel and kerosene, and in the 1960's leaded gasoline. Refining operations ceased in 1984 and the refinery was dismantled by 1986. (*Golden Eagle Refinery v. Assoc. Int'l Ins. Co.*, 85 Cal. App. 4th 1304 (2001).) This is consistent with the information reported by the California Energy Commission posted at http://energy.ca.gov/almanac/petroleum_data/refinery_history.html.

A 1990 consent order from DTSC's predecessor (Docket No. 89/90-009) associated with the Golden Eagle Refinery mentions other parties involved in its operation, namely the Julian Petroleum Company (which constructed the storage area) and Sunset Oil and the Douglas Refinery (which sent materials to the Golden Eagle Refinery). (https://www.envirostor.dtsc.ca.gov/public/deliverable_documents/7333173453/GER%201990%20Consent%20Order.pdf). Golden Eagle was a subsidiary of Ultramar PLC, which was later acquired by LASMO plc, a corporate parent of LASMO Oil & Gas, Inc. ("LOGI"). (See https://www.envirostor.dtsc.ca.gov/public/deliverable_documents/9844098746/GER%201995%20O%26M%20Agreement%20Epdf). ENI Oil and Gas became a successor at a later time, perhaps in the mid- or late 2000s. (See https://www.envirostor.dtsc.ca.gov/public/deliverable_documents/5908933341/2008-

0212%20Final%20WP%20for%20Addl%20Site%20Characterization.pdf.)

We understand that Golden Eagle used the Golden Avenue Pipelines for the transport of products and materials, presumably from the nearby ports or other locations to customers, facilities, or storage areas.

Request

Please provide any maps, diagrams, documentation, reports, findings, records, logs, forms, or other information (collectively "documents") that show:

- (a) the products stored at the Golden Eagle Refinery;
- (b) the products or materials of any nature (including wastes) that the Douglas Refinery and Sunset Oil sent to the Golden Eagle Refinery;
- (c) the routes and locations of pipelines or structures used to transport products or materials of any nature (including wastes) to or from the Golden Eagle Refinery within a 15-mile radius of the Refinery;
- (d) records of locations, installation, removal, contents, repairs, spills, maintenance, monitoring, probing, operation, or remediation of the Golden Avenue Pipelines;
- (e) actual or planned development of the Golden Eagle Refinery that involved the abandonment, removal, repairs, maintenance, capping, monitoring, probing, or remediation of the Golden Avenue Pipelines; and
- (f) pipeline line maps or other information that show or provide details about the current or former pipelines that transported materials from the port of Long Beach or other offsite location to the Golden Eagle Refinery, which we believe had a mailing address of 21000 South Figueroa Street, Carson, California. We are particularly interested in any pipeline routes along Golden Avenue in Long Beach between Baker Street and West Wardlow Avenue (also known as Wardlow Road).

Our request is for all public records, which California Government Code section 6252(c) defines as "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics." Accordingly, for any party who has contacted you about Golden Eagle Refinery or Associated Operations, we request: (a) electronic communications (e-mails); (b) written communications, including reports or analyses of any nature; (c) meeting attendance or log sheets, meeting agendas, and meeting notes; and (d) all telephone call or telephone conference log sheets, telephone call or conference agendas, and telephone call or conference notes.

All executive branch agencies are required to respond to a FOIA request within twenty working days of receipt, excluding legal holidays and Federal government closures. The California Public Records Act requires a response within ten business days. If access to the records we are requesting will take longer, please contact us with information about when we might expect copies or the ability to inspect the requested records.

We are willing to pay fees for this request up to a maximum of \$500. If you estimate that the fees will exceed this limit, please inform us first. If you deny all or any part of this request, please cite each specific exemption you think justifies your refusal to release the information and notify me of appeal procedures available under the law. Likewise, if you have any questions about handling this request, you may contact Dan Hurwitz or Viviana L. Heger at our office (818) 883-4000 (office), (818) 883-4242 (fax), or dhurwitz@tropiolaw.com (email) or vheger@tropiolaw.com (email).

Sincerely,



DANIEL S. HURWITZ
TROPPIO & MORLAN